

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

WILLIAM J. ALLEN, and ALLIE
JOHNSON,

Defendants.

4:17CR3017

ORDER

Defendant Johnson has moved to continue the pretrial motion deadline, (Filing No. 21), and the trial, (Filing No. 22), because Defendant needs additional time to investigate this case and prepare for trial. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Johnson's motions to continue, (Filing Nos. 21, and 22), is granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before June 19, 2017.
- 3) **As to both defendants**, trial of this case is continued and is set to commence before the Honorable John M. Gerrard at 9:00 a.m on July 17, 2017 or as soon thereafter as the case may be called, for a duration of 5 trial days, in Lincoln, Courtroom #1. Jury selection will be held at commencement of trial.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and **as to both defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and June 19, 2017, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act,

because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

April 12, 2017.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge